

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

MARITA TURNER,

Plaintiff,

v.

Case No. 13-12744

DANITRA CALLINGTON, et al.,

Defendants.

**OPINION AND ORDER OVERRULING PLAINTIFF'S OBJECTIONS AND
ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

On March 5, 2014, Magistrate Judge Laurie J. Michelson issued a Report and Recommendation ("R&R") in the above-captioned matter, recommending that the court: grant Defendants Danitra Callington and Voncha Davis's motion to dismiss and deny Plaintiff Marita Turner's motion for relief. Magistrate Judge Michelson also stated that "Plaintiff should move to amend her complaint to replead her Eighth Amendment contamination-of-food claim, if she can, with allegations that explain how individual defendants were personally involved in the alleged contamination of her food or knew of it and could have prevented it." (Dkt. # 24, Pg. ID 119.)

On March 17, 2014, Plaintiff filed a motion for relief, which the court will liberally construe as objections to the R&R. Plaintiff's objections, however, are incomprehensible and do not specifically challenge any portion of the R&R as 28 U.S.C. § 636(b)(1) requires. See also *Zimmerman v. Cason*, No. 07-1133, 2009 WL 3878523, at *2 (6th Cir. Nov. 20, 2009) (requiring "specific objections to the magistrate's report" and noting that the "filing of vague, general, or conclusory objections does not meet the

requirement of specific objections and is tantamount to a complete failure to object.” (citations omitted)). Moreover, the court has read the R&R and finds that it is correct. Specifically, the court has reviewed the thorough analysis of the Magistrate Judge on each of Plaintiff’s claims, and the court agrees with the Magistrate Judge’s reasoning and result as to each claim. Accordingly,

IT IS ORDERED that Plaintiff’s objections [Dkt. # 30] are OVERRULED, and the Magistrate Judge’s Report and Recommendation [Dkt. # 24] is ADOPTED IN FULL AND INCORPORATED BY REFERENCE.

IT IS FURTHER ORDERED that Defendants Callington and Davis’s motion to dismiss [Dkt. # 13] is GRANTED WITHOUT PREJUDICE and Plaintiff’s motion for relief [Dkt. # 16] is DENIED. Plaintiff may move to amend her complaint by **May 23, 2014**, to replead her Eighth Amendment contamination-of-food claim, with allegations that explain how individual defendants were personally involved in the alleged contamination of her food or knew of it and could have prevented it.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: April 18, 2014

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, April 18, 2014, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522